

HOUSE BILL 2802

By Grills

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, relative to electronic tracking.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-315(a)(1), is amended by deleting the subdivision and substituting instead the following:

(1) "Course of conduct":

(A) Means a pattern of conduct composed of a series of two (2) or more separate, noncontinuous acts evidencing a continuity of purpose, including, but not limited to, acts in which the defendant directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to a person, or interferes with a person's property;

(B) Notwithstanding subdivision (a)(1)(A), includes one (1) instance of placing an electronic tracking device, without the consent of a person, on the person or in or on the person's property; and

(C) Does not include the installing, concealing, or placing of an electronic tracking device by or at the direction of a law enforcement officer in furtherance of a criminal investigation that is carried out in accordance with applicable state or federal law;

SECTION 2. Tennessee Code Annotated, Section 39-17-315, is amended by adding the following as a new subsection:

() This section does not prohibit prosecution and conviction under another criminal statute.

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it.